

**What is claimed is:**

- 1 An internet telephone apparatus that transmits and  
receives a call data through an internet, comprising a  
5 switching controller for controlling and switching a  
protocol of a data transfer responding to a congestion  
situation of said internet.
- 2 The internet telephone apparatus according to claim 1,  
10 wherein said switching controller is a controller for  
switching to a connectionless protocol when said internet  
is in a congestion situation below a threshold and for  
switching to a connection protocol when said internet  
exceeds said threshold.
- 15 3 The internet telephone apparatus according to claim 2,  
wherein said connectionless protocol is a UDP ( User  
Datagram Protocol) and said connection protocol is a TCP  
(Transmission Control Protocol).
- 20 4 The internet telephone apparatus according to claim 1,  
wherein a receiver for receiving and processing a data  
received through said internet is included and said  
switching controller detects a congestion situation of  
25 said internet based on a receiving situation of said

receiver.

5 The internet telephone apparatus according to claim 4,  
wherein said switching controller includes a controller  
5 for detecting said congestion situation based on a CRC  
(Cyclic Redundancy Check) error frequency.

6 The internet telephone apparatus according to claim 1,  
wherein a voice compressor for compressing said call data  
10 is included and a compressed voice data is adapted to be  
delivered to said switching controller.

7 The internet telephone apparatus according to claim 6,  
wherein an image compressor for compressing an image data  
15 in addition to said call data is included and a compressed  
image data is adapted to be delivered to said switching  
controller together with said compressed voice data.

8 The internet telephone apparatus according to claim 7,  
20 wherein said receiver includes an expander for expanding  
said compressed data of said voice and image and said  
switching controller includes a controller for detecting  
said congestion situation responding to a processing error  
of expanding and decoding by said expander.